

John Roland #487525 *Pro se*  
JBCC Unit – C  
PO Box 1999  
McAlester, Oklahoma 74502-1999

**FILED**

**FEB 24 2016**

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DISTRICT OF OKLAHOMA  
BY W

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**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

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**JOHN ROLAND**

Plaintiff(s),

v.

**OKLAHOMA CORRECTIONAL  
INDUSTRIES,**

**DEPARTMENT OF CORRECTIONS &**

**Sgt. CHRISTOPHER THOMPSON**

Defendant(s),

**CIV-16-179**

**R.**

**Case No. CIV-14-1182-D**

**CIVIL RIGHTS COMPLAINT**

Pursuant to 42 U.S.C. § 1983

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**A. PARTIES**

- 1) John J. Roland, is a citizen of Oklahoma, who presently resides at Jackie Brannon Correctional Center, Unit – C, PO Box 1999, McAlester, OK. 74502-1999.
- 2) Defendant Sgt. Christopher Thompson is a citizen of Oklahoma, at the time claim(s) alleged in this complaint arose.

Was this defendant acting under the color of law? ☒ Yes ☐ No

Defendant, Sgt. C. Thompson is also being sued in his individual/professional capacity for acting outside the scope of duty and authority while under the color of law for the Department of Corrections and for Oklahoma Correctional Industries on 6-17-2014

If your answer is "Yes", briefly explain:

Sgt. C. Thompson was acting as a supervisor for the Oklahoma Correctional Industries as a Sergeant of Security for the facility overseeing the inmate call center located at Joseph Harp Correctional Center in Lexington, Oklahoma.

- 3) Defendant Department of Corrections is an entity of the State of Oklahoma and Headquartered in Oklahoma County and its sole purpose is to house inmates according to State Statutes and Department Policies and Procedures.

At the time claim(s) alleged in this complaint arose, was this defendant acting under the color of State Law? ☒ Yes ☐ No

If your answer is "Yes", briefly explain: C. Thompson was acting as a supervisor for the Oklahoma Corrections Industries as a Sergeant in the Security for the facility overseeing the inmate call center located at Joseph Harp Correctional Center in Lexington, Oklahoma.

- 4) Defendant, Oklahoma Correctional Industries is an entity acting on behalf of the State of Oklahoma to provide jobs for persons convicted of crimes within their respected jurisdiction.

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of State Law? ☒ Yes ☐ No

If your answer is "Yes", briefly explain: Defendant Roland was performing work detail for the Call Center at the time the alleged incident occurred.

## B. JURISDICTION

- 1) Jurisdiction is asserted pursuant to: (Check one)  
☒ 42 U.S.C. § 1983 (applies to state prisoners)  
☐ *Bivens v. six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1977) and 28 U.S.C. § 1331 (applies to Fed. Prisoners)
- 2) Jurisdiction also is invoked pursuant to 28 U.S.C. § 1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

**C. NATURE OF CASE**

- 1) Briefly state the background of your case.

On 6/17/2014 while working for Oklahoma Correctional Industries a subsidiary of the Oklahoma Department of Corrections, Plaintiff, John Roland #487525 was shot in the arm by then Sgt. C. Thompson who was acting as a supervisor for the Department of Corrections as the call center at Joseph Harp Correctional Center. Defendant was acting under the color of law outside the scope of his duties and authorities prescribed by the Department of Corrections and the policies and procedures for the Oklahoma Correctional Industries. **(SEE CORRECTIONAL FILES)**

**D. CAUSE OF ACTION**

- 1) I allege that the following of my Constitutional Rights, privileges or immunities have been violated and that the following facts form the basis for my allegations:

**A) Count 1:** Plaintiff, John Roland #487525, was shot in the arm by Sgt. C. Thompson while on duty at his job for the Oklahoma Correctional Industries at Joseph Harp Correctional Center in Lexington, Ok. Sgt. C. Thompson was permitted to oversee inmates and committed criminal acts by manufacturing illegal contraband (blowgun). Using it to torment/harass inmates for no just cause, simply because he was in a power position given to him by the Department of Corrections to act negligently, recklessly and criminally causing injury to the plaintiff by inflicting psychological and physical torment and fear.

- 2) **Supporting Facts:** Plaintiff John Roland contacted Sgt. C. Thompson's superior, Sgt. Heartsfield, when Roland finally made it back to the unit at approximately 10:00 when his shift ended. Plaintiff Roland requested medical attention for the injuries sustained at the hands of the negligent and malicious acts which Sgt. Thompson inflicted for what Roland believes his own sadistic purpose. **(SEE EXHIBIT A)**

**E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF**

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? ☐ Yes ☒ No

If your answer is "Yes", describe each lawsuit:

- a) Parties to previous lawsuit: N/A  
Plaintiffs: N/A  
Defendants: N/A
  - b) Name and location of Court and docket number: N/A
  - c) Disposition (For example: Was the case dismissed? was it appealed? Is it still pending?): N/A
  - d) Issues raised: N/A
  - e) Approximate date of filing lawsuit: N/A
  - f) Approximate date of disposition: N/A
- 2) I have previously sought informal and formal relief from the appropriate administrative officials regarding the acts complained of in Part D.  
☐ Yes ☒ No

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

- 3) I have exhausted available administrative remedies. ☐ Yes ☒ No

If your answer is "Yes", briefly explain the steps taken. Attach proof of exhaustion. If your answer is "No", briefly explain why administrative remedies were not exhausted.

I filed a grievance with the facility head, Warden Addison, notified chief of security and exhausted the state remedies required under Oklahoma Law and was denied by Oklahoma Department of Corrections finance arm, Risk Management. (SEE EXHIBITS A-G)

**F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS**

- 1) If you are proceeding under 28 U.S.C. § 1915, please list each civil action or appeal you have brought in a court of the United States, while you were incarcerated or detained in any facility, that was dismissed as frivolous, malicious or for failure to state a claim upon which relief may be granted. Please describe each action or appeal.

- a) Parties to previous lawsuit: N/A  
Plaintiffs: N/A  
Defendants: N/A
  - b) Name and location of Court and Docket number: N/A
  - c) Grounds for dismissal: ☐ Frivolous ☐ malicious  
☐ failure to state a claim upon which relief may be granted: N/A
  - d) Approximate date of filing lawsuit: N/A
  - e) Approximate date of disposition: N/A
- 2) Are you in imminent danger of serious physical injury? ☐ Yes ☒ No  
If your answer is "Yes", please describe the facts in detail below without citing legal authority or argument.

**G. REQUEST FOR RELIEF**

- 1) I believe I am entitled to the following relief:

Psychological, Exemplary and Punitive Damages resulting from the sadistic criminal acts committed by Sgt. C. Thompson while he was working for the Oklahoma Department of Corrections outside the scope of his authorities in a supervisory role for Oklahoma Correctional Industries Call Center on 06/17/2014 at the Joseph Harp Correctional Facility in Lexington, Oklahoma.

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Original signature of Attorney (if any)

John Roland #487525 *Pro se*  
JBCC Unit – B  
PO Box 1999  
McAlester, OK. 74502-1999

  
Original signature of Plaintiff

**DECLARATION UNDER PENALTY OF PERJURY**

The undersigned declares (or certifies, verifies or states) under penalty of perjury that John Roland #487525 is the Plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

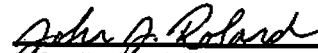
Executed at: Jackie Brannon Correctional Center, on the 19 day of February 2016.

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the foregoing was transmitted by mail, postage prepaid, on the 19 DAY OF Feb, 2016, to:

Clerk of the Western District  
for The District of Oklahoma  
200 NW 4<sup>th</sup> Street, Rm 1210  
OKC, OK. 73102

Respectfully Submitted,

  
John Roland #487525

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PO Box 1999  
McAlester, OK. 74502-1999